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PUBLIC NOTICE

ENVIRONMENTAL PROTECTION

WATERSHED AND LAND MANAGEMENT

DIVISION OF WATERSHED PROTECTION AND RESTORATION

Adopted Amendment to the Lower Raritan/Middlesex County Water Quality Management Plan

Public Notice

Take notice that on May 31, 2022, pursuant to the provisions of the New Jersey Water Quality Planning Act, N.J.S.A. 58:11-1 et seq., and the Water Quality Management Planning rules, N.J.A.C. 7:15, the New Jersey Department of Environmental Protection (Department) adopted an amendment to the Lower Raritan/Middlesex County Water Quality Management (WQM) Plan. The amendment, identified as “Park Avenue Water Treatment Plant upgrades” (Program Interest No. 435463, Activity No. AMD210005) expands the Middlesex County Utilities Authority (MCUA) sewer service area (SSA) by 0.968 acres to allow for upgrades to an existing drinking water treatment plant on Block 50, Lot 1 (portion), South Plainfield Borough, Middlesex County. The proposed upgrades would enable the plant to treat water for per-and polyfluorinated substances (PFAS) removal. These upgrades to treat for PFAS removal consist of 20 granular activated carbon contactor vessels that use adsorption to remove PFAS from drinking water. The vessels will be washed out one month per year and the projected flow from the backwash from these vessels is 41,025 gallons per day (gpd). There will also be a projected daily flow

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of 1,025 gpd consisting of wastewater from the restrooms, bag filter flow washdown, analyzer waste, and softener discharge based on flow calculated in accordance with N.J.A.C. 7:14A-23.3. The plant was not located within the MCUA sewer service area and is presently served by an individual subsurface sewage disposal system (ISSDS septic system) of under 2,000 gpd. The water treatment plant's existing septic system will be closed and all wastewater will be conveyed to the MCUA Sewage Treatment Plant [New Jersey Pollutant Discharge Elimination System (NJPDES) Permit #NJ0020141].

Preliminary notice was published in the New Jersey Register on February 22, 2022, at 54 N.J.R. 383(b) and a public hearing was held by Middlesex County, as the Designated Planning Agency, on March 23, 2022. No comments were received during the public comment period. This notice represents the Department's determination that the amendment is compliant with the regulatory criteria at N.J.A.C. 7:15 as described below.

In accordance with N.J.A.C. 7:15-3.5(g)6, the Department instructed the applicant to request written statements of consent from South Plainfield Borough, the MCUA, and the Plainfield Area Regional Sewerage Authority. South Plainfield Borough adopted Resolution 22-104 on March 7, 2022, consenting to the proposed amendment. The MCUA adopted Resolution WW-3-22-8-R on March 22, 2022, consenting to the proposed amendment. The Plainfield Area Regional Sewerage Authority adopted Resolution 2022-10 on May 5, 2022, consenting to the proposed amendment. The Middlesex County Board of County Commissioners, as the Designated WQM Planning Agency, adopted

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Resolution 22-746-R on May 19, 2022, approving the proposed amendment.

In accordance with N.J.A.C. 7:15-3.3(b), site specific amendments are limited to proposed alterations to the eligible SSA needed to address a specific project or activity. N.J.A.C. 7:15-3.5(j)2 requires that site specific amendments proposing to add 100 or more acres or generating 20,000 gpd or more of wastewater flow must update the wastewater treatment capacity analysis prepared in accordance with N.J.A.C. 7:15-4.5(b) to include the proposed project or activity. The proposed project involves less than 100 acres but would generate a total projected wastewater flow of 20,000 gpd or more and is thus subject to a wastewater capacity analysis modification. The purpose of the modification is to demonstrate that MCUA has the available capacity to service the project. In accordance with N.J.A.C. 7:15-4.5(b)1, the existing wastewater flow at the MCUA STP is the highest consecutive 12-month rolling average during the five-year period (December 2016 to October 2021), which was calculated to be 122 million gallons per day (mgd) (August 2018-July 2019) based on NJPDES Discharge Monitoring Reports reported in DEP Data Miner (<https://www.13.state.nj.us/DataMiner#>). The MCUA STP is currently permitted to discharge up to 147 mgd under NJPDES Permit No. NJ0020141. As such, the MCUA has capacity to accommodate the additional flow from the proposed project

Pursuant to N.J.A.C. 7:15-4.4(d), the following are not eligible for delineation as SSA, except as otherwise provided at N.J.A.C. 7:15-4.4(i), (j), (k), and (l): environmentally sensitive areas (ESAs) identified pursuant to N.J.A.C. 7:15-4.4(e), as any contiguous area of 25 acres or larger consisting of any of the following features, alone or in combination: endangered or threatened wildlife species habitat,

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Natural Heritage Priority Sites, riparian zones of Category One (C1) waters and their tributaries, or wetlands; coastal planning areas identified at N.J.A.C. 7:15-4.4(f); and ESAs subject to 201 Facilities Plan grant conditions pursuant to N.J.A.C. 7:15-4.4(g). The Department conducted an evaluation of the project site using a GIS shapefile provided by the applicant compared to the Department's GIS data layers available at <http://www.nj.gov/dep/gis/listall.html> and/or other information as noted below, to determine the presence of any such areas in accordance with N.J.A.C. 7:15-4.4(e), (f), and (g) and made the following findings:

1. The Department determined that the expanded SSA does not contain any areas mapped as endangered or threatened wildlife species habitat Rank 3, 4 or 5 on the Department's Landscape Maps of Habitat for Endangered, Threatened or Other Priority Wildlife based on the "Landscape Project Data" Version 3.3 GIS data layers in accordance with N.J.A.C. 7:15-4.4(e)1.
2. The Department determined that the expanded SSA does not contain any areas mapped as Natural Heritage Priority Sites based on the "Natural Heritage Priority Sites" GIS data layer in accordance with N.J.A.C. 7:15-4.4(e)2.
3. The Department determined that the expanded SSA does not contain any C1 waters or 300-foot riparian zones along any C1 waters or upstream tributaries within the same HUC-14 watershed of any C1 waters based on the "Surface Water Quality Standards" GIS data layer in accordance with N.J.A.C. 7:13-4.1(c)1 and 7:15-4.4(e)3.

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4. The Department determined that there are wetlands located on the proposed project site based on the “Wetlands 2012” GIS data layer in accordance with N.J.A.C. 7:15-4.4(e)4; however, pursuant to N.J.A.C. 7:15-4.4(j)3, the applicant has provided a Freshwater Wetlands Letter of Interpretation (LOI)/Line Verification File # 1222-20-0005.1 FWW200001 confirming that there are no wetlands within the expanded sewer service area.
5. The Department determined that the expanded SSA does not contain any Coastal Fringe Planning Areas, Coastal Rural Planning Areas, or Coastal Environmentally Sensitive Planning Areas mapped on the CAFRA Planning Map based on the “CAFRA Layers” GIS layer in accordance with N.J.A.C. 7:15-4.4(f).
6. The Department determined that there are no 201 Facilities Plan grant conditions applicable to the project site based on the U.S. Environmental Protection Agency (USEPA) list of New Jersey Grantees with ESA Grant Conditions at https://www.epa.gov/npdes-permits/environmentally-sensitive-area-esa-grant-condition-waiver-program-region-2_in in accordance with N.J.A.C. 7:15-4.4(g).

Pursuant to N.J.A.C. 7:15-4.4(h)1 and 2, the Department considered the land uses allowed in adopted zoning ordinances, future land uses shown in adopted municipal or county master plans, and other local land use objectives. On December 2, 2021, the South Plainfield Borough Director of Zoning and Property Maintenance issued a letter stating that the proposed project is consistent with the South Plainfield Borough zoning ordinances and master plan. The South Plainfield Borough Zoning Board of

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Adjustment adopted Resolution 2021-04 granting Preliminary and Final Site Plan approval on April 6, 2021. The Middlesex County Department of Planning notified the Department that it will not confirm or deny consistency of a proposed amendment with the county master plan until it updates its plan, which has been in effect since 1969.

Sewer service is not guaranteed by the adoption of this amendment since it represents only one part of the permit process and other issues may need to be addressed. Inclusion in the SSA as a result of the approval of this amendment does not eliminate the need to obtain all necessary permits, approvals or certifications required by any Federal, State, county or municipal review agency with jurisdiction over this project/activity.

5/31/2022
Date



Gabriel Mahon, Bureau Chief
Bureau of NJPDES Stormwater Permitting and Water Quality Management
Division of Watershed Protection and Restoration
NJ Department of Environmental Protection